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CPA

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Linda

12/16/02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

(only for Continuation or Divisional applications under 37 CFR 1.53(d))

Docket No.: 57909/428

Express Mail No.: EV138582983US

Examiner: N. Minnifield

Art Unit: 1645

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202
BOX: CPA

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This is a Request for filing a:

- ☒ continuation or
☐ divisional application

TECH CENTER 1600/2900

under 37 CFR 1.53(d), continued prosecution application, (CPA) of prior application number 09/298,523, filed on April 23, 1999, of Briles et al. entitled PNEUMOCOCCAL SURFACE PROTEIN C (PspC), EPITOPIC REGIONS AND STRAIN SELECTION THEREOF, AND USES THEREFOR.

The above-identified prior pending application is hereby expressly abandoned as of the filing date of this request for a continued prosecution application (CPA).

- ☒ Substitute Specification under 37 C.F.R. §1.125.
- ☒ A preliminary amendment is enclosed with attachments A and B.
- The filing fee is calculated on the basis of the claims existing in the prior application as amended above:

	(Col. 1)	(Col. 2)	SMALL ENTITY		OR	LARGE ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE		RATE	FEE
BASIC FEE	XXXXXXXXXX	XXXXXXXXXX	XXXXXX	\$370	OR	XXXXXX	\$740
TOTAL CLAIMS	20 - 20 =	0	x 9 =	\$	OR	x 18 =	\$0
INDEP CLAIMS	2 - 3 =	0	x 42 =	\$	OR	x 84 =	\$0
[] MULTIPLE DEPENDENT CLAIM PRESENTED			x 140 =	\$	OR	x 280 =	\$
*If the Total Claims are less than 20 and Indep. Claims are less than 3, enter "0" in Col. 2			TOTAL	\$	OR	TOTAL	\$740

- ☒ A check in the amount of \$740.00 is enclosed to cover the above filing fee.
- ☒ The Commissioner is hereby authorized to charge fees which may be required, or credit overpayment to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.
- ☒ A copy of the Request for Four-Month Extension of Time in prior application.
- ☒ A self-addressed, prepaid postcard for acknowledging receipt.

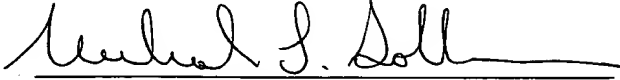
11. Other:

Address all future communications to (may only be completed by Applicant, or attorney or agent of record):

Michael L. Goldman, Esq.
NIXON PEABODY LLP
Clinton Square
P.O. Box 31051
Rochester, New York 14603-1051

Respectfully submitted,

Date: November 18, 2002


Michael L. Goldman, Esq.
Registration No. 30,727

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603
Telephone: (585) 263-1304
Facsimile: (585) 263-1600



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EXPRESS MAIL CERTIFICATE

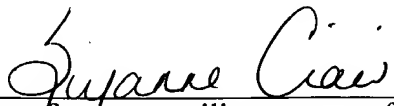
DOCKET NO. : 57909/428
APPLICANT(S) : Briles et al.
TITLE : PNEUMOCOCCAL SURFACE PROTEIN C (PspC) EPITOPIC
REGIONS AND STRAIN SELECTION THEREFOR, AND USES
THEREFOR

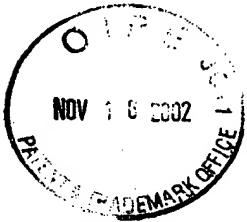
Certificate is attached to the **Amendment (8 pages)** of the above-named application.

"EXPRESS MAIL" NUMBER: **EV138582983US**
DATE OF DEPOSIT: **November 18, 2002**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, Virginia 22202; **Box CPA**.

Suzanne Ciaio
(Typed or printed name of person mailing
paper or fee)


(Signature of person mailing paper or fee)



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EXPRESS MAIL CERTIFICATE

DOCKET NO. : 57909/428

APPLICANT(S) : Briles et al.

TITLE : PNEUMOCOCCAL SURFACE PROTEIN C (PspC) EPITOPIC
REGIONS AND STRAIN SELECTION THEREFOR, AND USES
THEREFOR

Certificate is attached to the **Amendment Transmittal (2 pages)** of the
above-named application.

"EXPRESS MAIL" NUMBER: **EV138582983US**

DATE OF DEPOSIT: **November 18, 2002**

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Suzanne Ciaio

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paper or fee)

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PATENT
Docket No.: 57909/428

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Briles et al.
Serial No. : 09/298,523
Cnfrm. No. : 2114
Filed : April 23, 1999
For : PNEUMOCOCCAL SURFACE PROTEIN C
(PspC) EPITOPIC REGIONS AND STRAIN
SELECTION THEREFOR, AND USES
THEREFOR

Examiner:
N. Minnifield

Art Unit:
1645

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Linda
12/16/02
w/attacks

PRELIMINARY AMENDMENT

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202
Box: CPA

Dear Sir:

In response to the outstanding office action, please amend the above-identified patent application as follows:

IN THE SPECIFICATION:

Please replace the specification with the attached Substitute Specification
Under 37 C.F.R. § 1.125.